



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Christopher William Preist

Serial No.: 09/661,463

Filed: September 13, 2000

Confirmation No.: 7563

Group Art Unit: 3627

Examiner: McClellan, James S.

HP Docket No. 30990066-4

TKHR Docket No. 050829-1080

For: **AUCTION METHOD AND APPARATUS
FOR ELECTRONIC COMMERCE**

RESPONSE TO FINAL OFFICE ACTION

Mail Stop: RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The outstanding final Office Action mailed *January 14, 2004* (Paper No. 7) has been carefully considered. In response thereto, please enter the following amendments in which claims 16, 18, 20, 23, 24, 26-28, 36 and 39 are directly amended, claims 11-15, 17, 33, 34 and 38 are canceled; and claims 40-51 are added. Claims 16, 18-32, 35-37 and 39-51 are now pending in the present application. Reconsideration and allowance of the application and presently pending claims, as amended, are respectfully requested.

AUTHORIZATION TO DEBIT ACCOUNT

It is believed that no extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to deposit account no. 08-2025.

REQUEST FOR CONTINUED EXAMINATION

In accordance with 37 U.S.C. 1.114, a Request For Continued Examination (RCE) is filed concurrently with this Response To The Final Office Action so that the Office Action mailed January 14, 2004 (Paper No. 7) is effectively made non-final. Under 37 U.S.C. 1.114, the effect of the RCE, which makes the instant Office Action non-final, is to cause examination of the instant application to remain open. Accordingly, amendments and new claims submitted herein are to be entered as a matter of right, and *each* claim is entitled to continued examination, *particularly with respect to the responses provided herein*.



IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Christopher William Preist

Confirmation No.: 7563

Application No.: 09/661,463

Examiner: McClellan, James

Filing Date: 09/13/2000

Group Art Unit: 3627

Title: AUCTION METHOD AND APPARATUS FOR ELECTRONIC COMMERCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment () Petition to extend time to respond
(X) New fee as calculated below () Supplemental Declaration
() No additional fee (Address envelope to "Mail Stop Non-Fee Amendment")
(X) Other: RCE (fee \$ 770.00)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	32	MINUS	39	= 0	X \$18	\$ 0
INDEP. CLAIMS	4	MINUS	7	= 0	X \$86	\$ 0
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$290	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$420.00	3RD MONTH \$950.00	4TH MONTH \$1480.00		\$ 0
OTHER FEES						\$ 770
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 770

Charge \$ 770 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

Date of Deposit: 04/13/04

Typed Name: Marianne Boland

Signature: Marianne Boland

Respectfully submitted,

Christopher William Preist

By Raymond W. Armentrout

Raymond W. Armentrout

Attorney/Agent for Applicant(s)

Reg. No. 45,866

Date: 04/13/04